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The Mile High Conservation District long range program for total resource conservation

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MILE HIGH CONSERVATION DISTRICT

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LONG RANGE PLAN

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march, 1977

The Mile High Conservation District

Long Range Program
for
Total Resource Conservation

Butte, Montana
February, 1977

THE MILE HIGH CONSERVATION DISTRICT

LONG RANGE PROGRAM FOR TOTAL RESOURCE CONSERVATION

FOREWARD

This long range plan is developed to assist in the guidance of the Mile High Conservation District in providing assistance to the people of Silver Bow County. It will be used as the basis for decisions for future activities of the Mile High Conservation District. This plan was prepared by the Conservation District Board of Supervisors, assisted by the Soil Conservation Service and other cooperating groups and individuals. The plan is designed as a dynamic document to be used to determine need and establish priority for conservation. It will be reviewed periodically in order that it will be constantly current and a readily accessible tool for decision-making. The long range plan is highly significant to the District and other cooperating agencies.

The long range plan provides the District with a pattern to follow for the ongoing year-by-year action required to carry out its responsibilities. It must be broad in scope in order to include conservation and development of land, water and related resources for non-agricultural as well as agricultural related resources. It will furnish a framework for assistance to communities, watersheds, regions and governmental units in planning and carrying out a wide variety of resource development.

All public agencies, local, state and federal, with responsibility for conservation and development of land, water, wildlife, forests, and open space, for highway and road planning construction and maintenance, for industrial and urban expansion, and for agricultural development were

contacted and invited to participate actively in the development of this plan. Representatives of these agencies and local organizations, news media, and local educators are invited by the District to assist in the updating and maintenance of this plan. The District Long Range Plan will be an active, live document, if it is reviewed periodically and kept current.

MILE HIGH CONSERVATION DISTRICT

LONG RANGE PROGRAM

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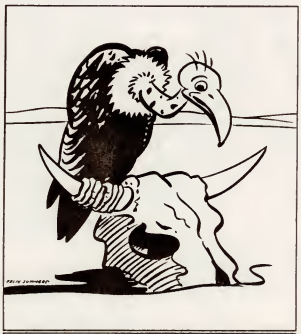


NO GRASS - NO MEAT

AW - 140

SUPPLEMENT A.

AREA MAP

SILVER BOW COUNTY

MONTANA

APRIL 1972

5 0 5 10 MILES

SCALE 1:500,000

TRANSVERSE MERCATOR PROJECTION

SOURCE MATERIAL:
AMS TOPOGS NL 12-4 & NL 12-7

Section I.

The District Program

WHAT IS A CONSERVATION DISTRICT?

Conservation Districts are democracy at work. They are organized and operate under the State Conservation Act originally passed in 1937 and revised in 1971. They are organized by a vote of the people within the district. They are legal subdivisions of the State, and public bodies corporate and politic with certificate of organization issued by the Secretary of State of Montana.

A Conservation District is managed by a Board of Supervisors of which five are elected.

Districts are assisted by many agencies, organizations, groups and individuals. They provide a means for all interested people in a community, area or region to work together for natural resource conservation and development. Participation is strictly voluntary.

"Darned housing shortage!"

AW - 203

THE DISTRICT PROGRAM

A. General

The Mile High Conservation District Program is a local level plan of assistance to conservation district land occupiers for soil and water conservation and related natural resource uses based on land capability. The Conservation District plan serves in part and contributes to:

1) Resource conservation and development planning;
2) Comprehensive land use planning;
3) Environmental enhancement planning; and
4) Pollution abatement planning.

The plan involves:

1) Establishing policy;
2) Inventorying and analyzing the natural resources;
3) Setting goals and objectives and establishing priorities;
4) Recognizing problems and opportunities for wise use and development;
5) Coordinating the implementation efforts of cooperating land occupiers and many resource groups and agencies; and
6) Resolution of adoption.

B. Purposes

1. Soil Conservation

The primary purpose of the district is preventing soil erosion. In doing this, the district necessarily becomes involved in water conservation, rangeland mangement, forestry and all related land uses.

Assistance has come primarily from agricultural agencies. It is anticipated that other agencies and programs, such as the Department of Housing and Urban Development, the Environmental Protection

Agency, the Federal Revenue Sharing Program and the City-County Planning Board, may provide more assistance.

Increased pressures and demands for land as a place to live, work and play are expanding the district's role. The district has traditionally been oriented toward agriculture, for this is the use to which most land and water has been put. Many cooperators of the district are now non-agricultural.

Coupled with this public pressure for a wider diversity of uses is increasing demand for a quality environment. Consequently, additional purposes of this program are to plan measures for pollution control and abatement to include ecological consideration in determining the highest and best use of land within its capabilities, and to choose intelligently among the many competitive uses. The latter purpose involves consideration of the multiple use concept as opposed to single use, plus an evaluation of trends toward public ownership and the various methods of regulation that might be used to effect proper land use. Soil conservation also gives emphasis to enhancement of water quality, natural beauty, and wildlife; preservation of scenic qualities, historic sites, and unique natural areas; and improvement of environmental health, job opportunities and education of the public.

2. Administrative Guide - (Outline of plan for land use and natural resource development)

The Board of Supervisors will use this plan as an administrative guide and an outline of the means whereby they hope to coordinate efforts for the orderly management of the natural resources on all

lands in the district. (Reference is made to the "Basic Guide for Montana Conservation District Supervisors," designed to assist supervisors to assume their responsibilities for total resource conservation and development.)

3. Reference

This plan will serve as a reference for technicians, county commissioners, land use planners, community planners, researchers, educators and others working with the district, particularly those agencies that require a district program to follow as provided in Memoranda of Understanding or other appropriate agreements.

4. Annual Work Plan

The Annual Plan of District Operations will be developed using this plan as a basis.

5. Information

An information program will be developed using this plan as a basis. Information will be directed to the public, particularly electors, cooperators, landowners-managers-occupiers-developers, legislators, county commissioners, conservation agencies and organizations, schools, churches, libraries and planning and development agencies.

6. Problems and Opportunities

The district program (plan) identifies the conservation problems and opportunities recognized by supervisors, cooperating agencies and advisory groups and outlines measures to correct the problems and/or develop wise management of natural resources. This program

attempts to give a history of the district, to explain and evaluate the present condition of the natural resources (soil, water, vegetation and wildlife), the opportunities that exist to protect and develop these resources, and the policies, goals and objectives, and working procedures of the supervisors. This program gives consideration to all private and public lands.

C. Jurisdiction

1. Private Lands

Basically, the district program has jurisdiction in the private ownership land area and deals with water, soil and related resources. It has, as overall objectives, the treatment of each acre according to its needs and the use of each acre within its capabilities.

2. Public Lands

Mutual problems and opportunities for the consideration, development and use of public lands are intended to be correlated with the public land administrators, managers and users.

D. Method

Land occupiers voluntarily sign cooperative agreements and agree to develop and carry out a conservation plan with such help and assistance as may be provided by the district and other agencies working through the district. There are also mandatory provisions in the Conservation District law for land use regulations and sediment control.

E. Authorization

The district program is authorized under provisions of the Montana

Conservation Districts' Law, Sections 76-101 to 76-233, R.C.M. 1947 as amended, and particularly Section 76-108 (8). Programs are required in Memoranda of Understanding or other appropriate agreements.

The district has agreements with the following:

U.S. Army Corps of Engineers
U.S. Department of Agriculture (USDA)
U.S. Soil Conservation Service (SCS)
U.S. Forest Service (USFS)
U.S. Agricultural Stabilization & Conservation Service (ASCS)
ASCS County Committees
U.S. Department of Interior (USDI)
U.S. Bureau of Land Management (BLM)
Montana Department of Natural Resources & Conservation (DNRC)
Montana Extension Service
Montana Fish and Game Commission (F&G)

Informal working relations have been established or are desired for cooperation and assistance from the following:

Federal:

U.S. Bureau of Outdoor Recreation (BOR)
U.S. Bureau of Sport Fishers & Wildlife
U.S. Department of Health, Education & Welfare (HEW)
U.S. Department of Commerce
U.S. Office of Economic Opportunity (OEO)
U.S. Department of Housing and Urban Development (HUD)
U.S. Department of Labor
U.S. Department of Economic Development Administration (EDA)
U.S. Environmental Protection Agency (EPA)

State:

Montana Highway Commission
Montana Environmental Quality Council
Employment Security Commission
Montana Department of Community Affairs
Montana Department of Health & Environmental Sciences
Montana Department of Intergovernmental Relations

Local:

County Commissioners
Butte City Council
City-County Planning Board
County Planning Board (Pending)
County Superintendent of Schools
School Districts
Special Purpose Districts

Non-Governmental:

Development Groups
Grazing Associations
Sportsmen Groups
Conservation Organizations
Trout Unlimited
Service Clubs

Other major laws which relate to the district program are:

1) P.L. 46, Soil Conservation and Domestic Allotment Act of 1936. (USDA Secretary's Memorandum No. 1488 of February 1, 1962).
2) P.L. 566, Watershed Protection and Flood Prevention Act of 1954.
3) P.L. 87-703, Section 102 of the Food and Agriculture Act of 1962, Resource Conservation and Development Program.
4) P.L. 91-190, National Environmental Policy, January 1, 1970.
5) P.L. 92-500, Federal Water Pollution Control Act of 1972.
6) P.L. 92-419, Rural Development Act of 1972.
7) P.L. 93-86, Title X, Agriculture and Consumer Protection Act of 1973.
8) Water Quality Rules and Regulations of Department of Health and Environmental Sciences.
9) Floodplain Rules and Regulations of Montana Department of Natural Resources and Conservation.
10) Subdivision Regulations of the Montana Department of Intergovernmental Relations and County Commissioners.
11) Natural Streambed and Land Preservation Act of 1975.

F. Organization, Location and Acreage

The District was first organized on October 28, 1952, and covered all of Silver Bow County and all of Deer Lodge County, lying south of township 5 north. The area in Deer Lodge County was transferred to the Deer Lodge County Conservation District following hearings in 1966. The original supervisors were: Tom Connor, R. C. Setterstrom,

R. C. Spangler, Fred St. Onge, and O. M. Ueland, Chairman.

The District presently comprises an area of 458,240 acres and includes all of Silver Bow County, excluding the incorporated cities and towns.

G. Responsibilities

Supervisor Responsibilities and Authorities:

The supervisors are elected by the qualified electors within the district. They are the governing body of the Conservation District with broad authorities as outlined in the Conservation Districts' Law to develop and carry out a resource conservation and development program with the use of all available resources and authorities that they choose to use and can obtain. It is the policy of the district to cooperate with and use the services of other agencies for technical, educational, planning, research, and financial assistance to private land occupiers to plan and apply conservation practices. The Montana Department of Natural Resources and Conservation and District Supervisors can request state and county funds for the operation of the district.

ART-P19

Section II.

Policy

POLICY

It is the Mile High Conservation District's policy to work cooperatively with other groups, individuals, and local, state and federal governments to better achieve mutual objectives related to sound soil and water conservation planning. The district will cooperate with other local planning bodies by exchanging information and other resources and by assisting with necessary coordination. In addition, the long-range plan is designed to carry out the district program with respect to the conservation of soil and water resources, control and prevention of soil erosion and prevention of flood water and sediment damanges. It shall further be the district's aim to prevent impairment of dams and reservoirs, protect the tax base, assist in furthering the natural resource policies and programs of the state and help carry out land use policies and regulations as provided in the Montana Conservation Districts' Law and other Montana statutes.

Specifically, the Mile High Conservation District adopts the following vital elements for its long-range land use planning program:

A. Eminent Domain

1. The rights to economic opportunity and freedom of choice in the use of land should remain with the landowner so long as they do not destroy the resource or conflict with a safe, clean and healthy environment for society.

B. Land Use

1. Education and information programs are needed to convey a basic understanding of the need for proper land use to all segments of society. Land use policies and plans must be developed with broad

public involvement to ensure citizen support and understanding.

2. Fundamental changes in land use, such as converting productive agricultural lands to non-agricultural land uses or increasing the intensity of a single land use, should be considered only after an evaluation of the long-term ecological, social and economic effects.

3. Land use policies should consider the impact and influence of the property tax structure. Tax structures should encourage agriculture, wildlife, recreation and similar uses of land in the public interest.

4. Land use policies and plans need periodic review to determine changes in land resource use which are consistent with environmental and social needs.

5. Land use policies should be oriented toward protection of the natural integrity of wildlands, which are an integral part of our history and way of life in Montana.

6. Development which results in unsightly urban sprawl should be discouraged.

C. Water

1. To provide guidance and alternatives in the wise use of water and land resources to improve the quality of life in the area through achieving a balance between economic development and environmental quality objectives.

D. Soils

1. Consideration must be given to the needs and desires of the people for productive soils and a quality environment to ensure attractive, convenient and satisfying places to live, work and play.

2. The land's capabilities, limitations and potentials are identified by soils and other related resource inventories.

E. Conservation Planning

1. The total resource must be analyzed and its use guided through proper conservation planning.

2. Priorities must be established in deciding how planning assistance is divided between individuals, groups, units of government.

F. Mining

1. We favor mining and an economic base for mining, but after mining, construction, and similar activities, which alter and destroy the surface, the land should be treated and reclaimed for future uses.

G. Application of Conservation Practices

1. Practices will be planned and plans will be implemented in accordance with the overall system planning concept.

Section III.

Natural Resource Inventory

Natural Resource Inventory

A lot of publications, books, etc. have been put together by units of government and other planning groups with many duplicated items for the inventory of resources in the area.

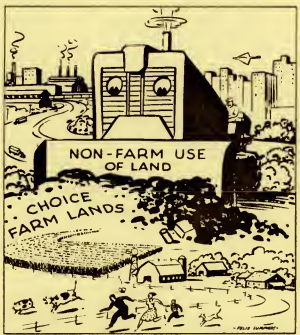
We do not intend to duplicate this information again. Therefore, detailed resource information and maps have been omitted from this Long Range Plan. However, this information is available in the following publications:

Headwaters RC&D Project Plan

Clark Fork of the Columbia River Basin Type 4 Survey

Climax Vegetation of Montana - Based on Soils and Climate

Conservation Needs Survey



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Section IV.

Problems & Opportunities

PROBLEMS AND OPPORTUNITIES

A. Planning and Development

B. Range and Pasture Resources

C. Water Resources

D. Fish and Wildlife Resources

E. Other Lands

PLANNING AND DEVELOPMENT

The Conservation District can contribute significantly to the effectiveness of a resource planning program. The data on the natural resources of the district can help in determining the effects of both urban and agricultural uses on these resources. In resource planning and development, the apparent problems often are not the real problems but rather symptoms of several related problems. Each must be identified and dealt with in a manner that will treat the symptom and effect a cure. In this section the problems relate to each major resource and the opportunities which follow list ways in which the District will attempt to solve these problems.

Problems:

1. We do not have a completed soil survey for the area and it is not being put to its most productive use.

2. A large percentage of the agricultural land area is presently not under a District conservation plan.

Opportunities:

1. Work toward development of a complete soil survey for the area

and keep updated to meet present day criteria.

2. Encourage formation of a county-wide planning board.

3. Provide to the planning board inventory data on natural resources for use in making sound planning decisions.

4. Provide one supervisor to serve as member of county planning board as per Montana statutes when it is formed county-wide.

5. Coordinate and make available to planning board information of other agencies.

6. Develop committee structures of associate supervisors, youth boards, governing bodies, civic groups and other interested persons to forward the efforts of the district in all resource activities.

7. District will provide employees to be used in various phases of conservation planning.

8. District supervisors will encourage the development of conservation plans to neighboring farms and ranches.

9. Make use of other programs to encourage the development of conservation plans.

10. Establish planning priorities to reflect the treatment needs of the land.

RANGE AND PASTURE RESOURCES

The improvement of our environment and a potential for increased income are available to local ranchers and the general public through better rangeland management. Nearly all of the agricultural income is

derived from the sale of livestock and livestock products. Range improvement will directly reduce soil losses from wind and water erosion on rangeland. Water and air pollution will be minimized. Stream flow stabilization and a clean sediment free water supply will result from improved range management.

Problems

1. Sixty-nine percent (69%) of private and state rangelands are in need of additional treatment.

2. Need to develop a better understanding of the rangeland resource by ranchers and other users.

3. Lack of adequate water supplies to provide necessary water for efficient forage utilization during all seasons.

4. Economic loss due to 69% of the rangeland in fair-to-pooor condition.

5. Need for a better understanding of the rangeland resource by consumers.

6. Losses of livestock due to predators and reduced forage production from rodents and insect infestations.

7. Porage production varies considerably due to variations in precipitation and other climatic factors.

8. Loss of forage production due to increase of noxious weeds in some areas.

9. Need for increased management on fragile lands to reduce erosion and sediment pollution.

10. The prevention of range and forest fires is the responsibility of the U.S. Forest Service and U.S. Bureau of Land Management on public lands under their administration. Prevention of fires on state and private lands is under the direction of the Forestry Division, Montana Department of Natural Resources and Conservation, with assistance from the U.S. Forest Service.

11. Poor land management, such as overgrazing, lack of weed control, and failure to prevent erosion, reduces agricultural production. Some of the reasons for poor land management stem from smaller than economic farm units that have insufficient income to apply adequate land treatment. Other reasons include rural residents without equipment or knowledge of land treatment and often with more livestock than their small acreages can support.

Opportunities

1. In order to attain the district goals in the rangeland program of improving the rangeland resource, there will be established a coordinated effort between the Rangeland Resource Committee and the District to attain the goals established by the Committee.

2. Encourage that the development of the rangeland resource be considered in its proper perspective and coordinated with other land use planning decisions in the District.

3. Broaden the information and educational program to develop a better understanding of the rangeland resource.

4. Serve in the area of predator control, by functioning as a liaison between local ranchers and predator control agencies.

5. Studies presently being conducted indicate that weather modification may influence patterns and amounts of rainfall in the district. The district recommends that research be limited to specific and carefully designed projects to study its effects on forage production, changes in plant communities and animal populations, erosion, runoff and other consequences which may result from weather modification.

6. There is an economic potential for various types of recreational development, especially vacation farms and ranches.

7. Encourage the use of well-designed grazing systems to bring about improved range condition and greater economic returns.

8. Encourage additional research which contributes to increased forage production and protection of the rangeland resource.

9. Encourage the use of tame grasses to increase forage production and provide protection to native grasses during critical growing periods.

10. Place planning priorities on critical erosive lands to reduce sediment production.

11. Encourage the use of available programs to aid ranchers in conservation practices to protect the rangeland resource.

12. Encourage a fire prevention education program to assist operators of equipment to recognize safe spark arrestors, dangerous exhaust systems, and be aware of dangerous fire situations and recognize hazards.

WATER RESOURCES

Water is rapidly becoming a priceless resource, and there are increasing demands to improve its quality. Plans for rational use,

development, management and conservation of water and related land resources of the District in a manner that will provide a balance between economic development and environmental quality goals should be provided. This information would aid in the orderly development and enhancement of the quality of life for residents of the District.

Problems

1. Large floods - particularly severe in terms of economic loss, especially to transportation systems. Damages to irrigation ditches and diversions, fences, roads, culverts, and bridges.

2. Wet areas occur naturally along most of the streams in the District due mostly to the lack of drainage.

3. Specific problems of late season or temporal shortage of irrigation water occur in many irrigated areas, such as Brown's Gulch. Water shortage due to low irrigation delivery efficiencies arise from small private developments with poor ratio of acres irrigated per mile of canal.

4. High sediment loads carried by flood water causes silting of water storage impoundments and damage to fish habitat.

Opportunities

1. Reduced flood damages on agricultural lands and residential areas.

2. Increased production on Type 1 & 2 wetlands.

3. Storage of spring runoff water to offset temporal shortages for irrigated land now short of late season water and improved irrigation systems where feasible.

4. Improved efficiency of agricultural and commercial forestry production by improved land treatment, including irrigation water management with sprinkler irrigation, water control structures, improved field ditches and pipelines; improving range management by developing more stockwater facilities and building more fences; improving wood growth through thinning and selective harvest.

5. Critical area treatment on "other" lands now eroding or endangered.

6. Reduced erosion and sedimentation from range, cropland, forest, and other lands.

7. Reduced streambank erosion.

8. Reduced discharge of sewage effluent and industrial pollutants.

9. Reduced water fluctuations of reservoirs.

10. Protected riparian vegetation along streams and lakes.

11. Free-flowing streams.

12. Adequate minimum streamflows.

FISH AND WILDLIFE RESOURCES

Fish and wildlife resources are an important resource in the District. With the increased growth of outdoor oriented recreation, this resource will become an even more important consideration in the overall resource development program in the District.

Problems

1. Many landowners in Silver Bow County have experienced losses by vandalism, theft, or malicious acts, such as shooting of livestock.

Thoughtless recreationists leave gates open, drive across irrigated croplands, and leave litter strewn around. Because of these experiences, many landowners have posted their lands and the recreationist has lost many prime recreation sites.

2. Some landowners have been guilty of denying the recreationists access to public lands by posting or closing of access roads. This creates a problem, as protests have been made to agencies involved. This situation has led to friction between landowner and recreationist.

3. Finer sediments adversely affect stream fisheries by filling the gravel spaces needed for aquatic organisms and fish spawning activity.

4. Artificial dewatering of streams by irrigation water diversions.

5. Wildife shortages in the District due to loss and deterioration of habitat.

Opportunities

1. Dispersed recreational activity by providing additional access points and fishermen pathway easements along streams and additional access points to public lands in areas now blocked by private lands.

2. Inform landowners of potential for various types of recreational developments, especially in the areas of guide service, float fishing, and vacation ranches.

3. Encourage, where practical, the development of wildlife habitat areas in conservation planning.

4. Consider items beneficial to wildlife development in the design of conservation practices, such as fencing off streambanks from grazing,

planting willows for streambank protection, and use of culverts in live streambeds.

5. Construct water diversions that won't wash out every year.

6. Sponsor programs designed to promote better relationships between sportsmen and landowners.

OTHER LANDS

Other lands in the District consist primarily of roads, farmsteads, rural schools, cemeteries, etc. These areas, if not properly treated, can become sources for sediment production or areas for noxious weed infestations. It is estimated that 16% of the other land in the District is in need of additional treatment measures.

Problems

1. Lands, without proper conservation measures, can be a major source of sediment pollution to rivers and streams. Old mine dumps are a good example of causing water pollution and fostering noxious weed crops.

2. Lands, without proper treatment, provide areas for noxious weed infestations.

3. Unstable ox-bows, streambanks and headcuts are depositing large loads of silt into waterways.

Opportunities

1. Shaping of existing and newly construction borrow areas along with stockpiling of topsoil will assist in getting these areas revegetated sooner, thereby reducing erosion and opportunity for noxious weed infestation.

2. The district will encourage proper measures to control existing streambank erosion problem areas.

3. Reclaiming old mine dumps.

Section V.

Objectives and Goals

OBJECTIVES AND GOALS

The District will work toward:

1. Enhancing the area's agricultural industry to achieve conservation and wise use of its land and water resources and an improved quality of living in rural communities.

   GOAL: Through land use planning and implementation, see that high quality soils are retained for cropland. Help develop new and better crop and livestock markets.

2. Providing an ample supply of good quality water for domestic, agricultural, fish and wildlife, environmental and recreational purposes.

   GOAL: Promote water development projects that support adequate stream flows for all purposes.

3. Developing recreation and wildlife areas and maintaining their quality to meet District needs.

   GOAL: To maintain a high quality environment and support good management of land areas used for recreation and by wildlife.

4. Improving the range resources of the District.

   GOAL: Initiate an educational program to inform ranchers of good management techniques and acquaint the public to the importance of the rangeland resource as a provider of wildlife habitat, protector of the watershed and its economic impact to the area.

5. Managing of forest land resource for sustained yield of wood products, for watershed protection, recreation, wildlife, and environmental

quality.

GOAL: Promote a forestry management policy that ties all private, state and federal forest lands together into a closely coordinated management plan of multiple use.

6. Developing a coordinated approach and long-term goals toward controlling noxious weeds.

GOAL: Develop an educational program to inform people of the weed problem.

7. Developing additional facilities and services needed for community betterment.

GOAL: Support planning efforts which help communities identify and solve problems.

8. Monitoring flood plain development which has caused numerous problems.

GOAL: Assist in informing the public about land use problems associated with flood plains.

Section VI.

Implementation

IMPLEMENTATION

There are numerous techniques for implementing different elements of the district's program. However, the use of each technique will be specifically fitted to the policies, goals and objectives of the District. It is hereby understood that the same people and groups who assisted in developing this Long Range Program should be utilized to carry it through. The Mile High Conservation District must exercise strong leadership and utilize all possible assistance if they are to have successful programs. They must also receive excellent cooperation from all cooperating agencies.

A. General Implementation Tools

1. Conservation District Organization, Plan of Work and Projects

The Conservation District law provides broad authorities for implementing a Conservation District Program. The District will provide leadership and utilize all possible assistance in carrying out their program. Standing committees and special committees, such as the Range Resource Committee, will be used as needed to further the objectives of the program. Regular monthly meetings will be used to review progress and stimulate activities toward implementation of the District program.

2. Conservation District Cooperator Agreements

Voluntary agreements are negotiated between the conservation district and the individual land occupier or group, association, or entity of government to supply certain services according to a plan, such as a Farm or Ranch Conservation Plan, a Range Management Plan, or engineering plans for a specific conservation practice.

3. Annual Plan of Work

Based on program goals and objectives, the supervisors will request assistance from local, state and federal agencies, as needed, to develop an annual plan of work.

4. Tax Policies

Possibly the most important but least understood plan implementation device is state and local taxation. The tax values placed on land are often conservative, resulting in a direct subsidy to the land speculator. The low cost of holding land vacant is normally more than offset by increasing market values. This situation is a direct cause of urban and rural sprawl.

In other cases, open land is over-assessed, according to speculative value, because of surrounding development. This situation may be partly remedied by the "Greenbelt" law which now provides that qualifying agricultural land is to be taxed according to current rather than potential use.

5. Zoning

Zoning is an exercise of the police power, i.e., the power of the state to regulate in the interests of the health, safety and general welfare of the public. Some of the purposes of zoning include environmental preservation, limitation of congestion, protection of property values and adequate provision of community services. The county commissioners may establish zones or districts for different uses of land and may regulate developmental patterns, building use and the area around buildings.

Section 16-4704, R.C.M., 1947, provides that zoning regulations

shall be in accordance with the comprehensive plan. Comprehensive ordinances apply to an entire planning area, and in the absence of such a plan, may place the zoning ordinance in questionable legal status.

If a jurisdiction is experiencing emergency land use problems, a temporary interim zoning regulation may be enacted pending the completion of a comprehensive plan within a reasonable time. Such authority is provided to the county commissioners in Section 16-4711, R.C.M. 1947.

6. Land Use Regulations

Section 76-109, R.C.M. 1947, provides conservation district supervisors with the authority to formulate land use regulations within the district in the interests of conserving soil and water resources and preventing and controlling erosion. A referendum is then submitted to qualified electors for their approval or disapproval of the regulation.

7. Floodway Management

Conservation Districts can contribute data to and become involved in floodway management. Pursuant to the Montana Floodway Management and Regulation Act of 1971, a floodway management program may be carried out as follows:

a) A request for flood delineation studies is made by the local subdivision of government to the Montana Department of Natural Resources and Conservation.

b) Completed studies are used, if available, and federal agencies (U.S. Geological Survey, SCS, Corps of Engineers, etc.) are

contacted by the Department for technical assistance.

c) After delineation, the Department conducts a public hearing on the establishment of the designed floodway. As a result, floodway lines will be recorded and data furnished to local officials.

d) The local governing body then has a maximum of one year to establish and enforce floodway land use regulations at least as stringent as those established by the Department.

e) After local regulations are in effect, or one year after transmission of the floodway data, permits must be obtained before establishing or altering any artificial obstruction within the designed floodway.

8. Subdivision Regulations

The Montana Subdivision and Platting Act of 1973 requires each local governing body to adopt and enforce subdivision regulations by July 1, 1974. These regulations must meet or exceed state minimum requirements and must contain provisions for an environmental assessment to be submitted by the subdivider. Local review procedures, as well as district representation on county planning boards, will ensure that the Conservation District is afforded an opportunity to evaluate each proposed subdivision within the District.

B. Assistance

1. Financial and Technical

Major types of assistance available from federal agencies include the Soil Conservation Service and Agricultural Stabilization and

Conservation Service programs. In addition, water and sewer facility grants and loans from the Farmers Home Administration, and Department of Housing and Urban Development "701" planning grants are also available.

2. Private Assistance

A source of help often overlooked in planning and implementation of programs is the private sector. Citizen groups, area banks or industries, and chambers of commerce may be crucial to plan implementation and should be involved in planning throughout the process.

ART-R58

RESOLUTION OF ADOPTION

On February 14, 1977, at Butte, Montana, The Mile High Conservation District Board of Supervisors, consisting of Chairman Hugh Murphy, Vice-Chairman Angelo Petroni, and Supervisors Paul Gneiting, Walter Erickson and Ray Ueland, met and reviewed the prepared Mile High Conservation District program at a regular meeting, and after such review did mutually agree and resolve that such district program be adopted.

Signed this 14th day of February, 1977.

Supervisors:

Hugh J. Murphy Jr.
Chairman

Angelo Petroni
Vice-Chairman

Paul Gneiting
Supervisor

Walter Erickson
Supervisor

Ray Ueland
Supervisor

Attest:

Mary J. Seccombe
Secretary-Treasurer